

## Regional Councils

The Regional Councils are the entity through which the State Board will receive project recommendations and reports as well as ensure accountability for the use of funds used to support projects endorsed by the Council. The intent of the regional structure is to provide an incentive for regions to collaborate in order to diversify the economy and create high paying jobs in the region. Before a region may apply for grant funding, the Board must certify the Council for that region.

The following requirements apply to certification of Regional Councils:

### Membership Requirements:

The intent of the membership requirements is the creation of Regional Councils that are broadly representative of their unique regions, ensuring that key stakeholders are brought together in an organized and efficient manner in order to encourage collaboration, and to strategically focus on economic diversification in their region. In considering what is “representative” for a Regional Council, each Region needs to consider its own unique factors including, but not limited to, economic sectors, education, geography, and demographic makeup.

1. The following sector group representatives should serve as members of the Council:
  - a. Business
    - i. Representation should include both small (up to 50 employees) and large businesses
    - ii. Representation should include entrepreneurs, innovators in growing industries, and experienced professionals
    - iii. Leadership/management experience required
  - b. Education
    - i. Representation should include public higher education institutions and private higher education institutions as appropriate, VCCS and PK-12 should be represented
  - c. Civic or community leaders
  - d. Local and/or regional economic development professionals
  - e. Workforce development professionals
    - i. A private citizen member of the local workforce development board
  - f. Local government representatives (elected officials, administrators)
  - g. Regional planning entities
  - h. Non-profits and other organizations that impact economic or workforce development in the region
2. A majority of members must be private sector with significant business experience (5 or more years in private business, entrepreneur).
3. The chairman, vice chairman, and majority of members must have significant private sector business experience. Included among the business members should be persons experienced in managing small and large enterprises.

4. The Regional Council shall have no fewer than 15 members and no more than 25 members upon formation. If the number of members is outside of this range the Council must make a justification to be approved by the Board.
  - a. In recognition that many regions will have multiple entities with similar missions, care should be taken to select one that will be representative of the group and will be responsible for communication within that network.
  - b. Councils should propose a policy on how vacancies will be filled and whether a member's service is tied to the individual member or the service on the council is related to the position the member holds at the time of appointment.
  - c. If a regional council proposes a change in structure, leadership, or membership, that change will be included as part of the annual report reviewed by the Board. The Board may then approve the change.
5. The Council will ensure gender and ethnic diversity in its membership.
6. Member nomination shall be initiated with a slate of candidates being put forth by the region to the Board which will certify the proposed Council. Submissions will be accepted beginning on December 6, 2016. Submissions for review at the March 2017 Board meeting should be submitted by February 17, 2017. If an application is not received by April 1, 2017, the Board may initiate efforts to form a Regional Council consistent with the language below.
7. If a Regional Council is not able to form by April 1, 2017, then Board members may assist in the development of the Regional Council. Per the Growth and Opportunity Act, the Board will designate a formation committee chairman and two members from the region. The formation committee is responsible for such consultation and recruitment within the region that is likely to result in certification of a Regional Council for the region. The formation committee chairman and members may serve as officers and members of the Regional Council.

#### Regional Council Formation/Governance:

1. Upon approval of the regional boundaries by the GO VA Board, each region shall submit a Letter of Intent to the GO Virginia Board through the Department of Housing and Community Development (DHCD). Failure to submit a letter of intent by April 1, 2017 may lead to the Board assisting in the development of the Regional Council. A template from Department of Housing and Community Development (DHCD) will be provided for the Letter of Intent.

The Letters of Intent will include:

  - a. A statement of intent to organize.
  - b. Proposed membership and the member selection process; demonstrate that members are representative of the Region.
  - c. Proposed leadership and how leadership was selected.
  - d. The sector each proposed member represents.
  - e. Provide a list of stakeholders and/or other methods of public input that were consulted in selecting a diverse and representative Council. Demonstrate that the selection was an inclusive and open process.

- f. These requirements apply when new members are selected for the Regional Council.
2. Public comment will be received by the Board prior to certification of each Regional Council. The Regional Council will also receive public comment during its formation process. The Department of Housing and Community Development (DHCD) will post potential Regional Council membership on the GO VA website prior to the Board meeting at which Regional Councils will be considered and provide comments received to the Board. The Board will also have a public comment period at its meeting.
  3. Each Regional Council will adopt bylaws (following certification by the Board) that will outline sector group representation, member selection process, meetings schedules, and governance. The bylaws will be reviewed at the next meeting of the Board following the Regional Council's certification.
    - a. The bylaws will address the relationship with the Council's support organization which will oversee programs funded by the Council.
    - b. The bylaws will also indicate the length of members' terms, and how a member is removed or replaced.
    - c. Bylaws will include guidance for the Conflict of Interest Act (COIA), and indemnification/liability as a public body as well provisions for compliance with the Freedom of Information Act (FOIA).
    - d. Bylaws may include a structure for advisory councils to assist the Regional Councils.
  4. The regional council must demonstrate, in form and content satisfactory to the Board, its capacity and commitment to develop, validate, and implement an economic growth and diversification plan as described in the guidelines. The plan will facilitate regional collaboration to diversify the economy and create jobs by addressing gaps in workforce and infrastructure and identifying opportunities to create high paying jobs. The plan should not duplicate other plans.
  5. As economic diversification issues are identified, Councils may need to add other members to ensure adequate representation of economic issues for the region; the formation of advisory groups may also be utilized to assist the Council.
  6. The regional council must demonstrate, in form and content satisfactory to the Board, its processes for organizing and supporting the implementation of grant funded projects and programs in the region. This includes the ongoing review of regional activities that receive VGOF grants, including audit and performance assessment functions.
  7. A Regional Council must be affiliated with or supported by a new or existing organization whose purposes and competencies include collaborative planning, economic development, or workforce activities within the region. This "support organization" may support the Regional Council through data analysis, review of best practices, review and analysis of project proposals, and other duties as determined by the Regional Council.
    - a. Existing organizations that may satisfy this requirement include but are not limited to planning district commissions, higher education institutions, economic or workforce development partnership organizations, and community foundations, and other nonprofits that have regional purview.
    - b. A new organization can be established for the specific purpose of supporting the Regional Council.

- c. A contractual relationship between the Regional Council and support organization must provide for fiduciary oversight and administrative services for the activities funded by monies received from the VGOF and other sources of matching funds by the Regional Council. In matters related to the Virginia Growth and Opportunity Act, the support organization operates with the advice and consent of the Regional Council.
  - d. The support organization will demonstrate good accounting practices, grant administration, project management experience, tracking and reporting of performance metrics and audit protocols. DHCD will be responsible for the review of audits, contracts and performance metrics from the Regional Council and affiliated support organization.
- 6. Regional Councils will meet all of the Code of Virginia Public meeting requirements ([§2.2-3707](#)). Regional Councils should articulate how they will advertise meetings including where they will post meeting notices. (website, administrative offices).
- 7. The Board and Regional Councils are subject to the Conflict of Interest Act (COIA) and Freedom of Information Act (FOIA); Regional Councils should be familiar with the relevant COV sections relating to COIA and FOIA. A signature from the Council Chair will be required to certify the Council's compliance with FOIA/COIA.
  - a. Title 2.2 Chapter 31 of the Code of Virginia
    - i. <http://law.lis.virginia.gov/vacode/title2.2/chapter31/>
  - b. Title 2.2 Chapter 37 of the Code of Virginia
    - i. <http://law.lis.virginia.gov/vacode/title2.2/chapter37/>